

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

**Tadahiko Kubota, et al.**

Application No. **10/813,529**

Filed: **March 30, 2004**

For: BATTERY

) Group Art Unit: **1795**

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) Examiner: **Alix E. Echelmeyer**

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) Confirmation No.: **6143**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPLANATION OF JAPANESE OFFICE ACTION**

Dear Sir:

This explanation is submitted in response to the Examiner's comments in the Advisory Action dated June 16, 2008. In the Advisory Action, the Examiner stated the Japanese Office Action was not considered because there was no English translation or explanation of relevance. Applicant respectfully disagrees with the Examiner's comments. As stated in or response to the Final Office Action, the reference was identified by the Japanese Office Action in connection with its examination of a related application directed to the same invention. Applicant, however submits a brief explanation of the Japanese Office Action for the Examiner's convenience.

Respectfully submitted,

Dated: August 13, 2008

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Japanese Patent Office Action  
Application No.: JP 2004-026572  
Mail Date: October 3, 2007

Claim rejections under Article 29-1, 29-2, 36 and 37.

Claims 1-18 were rejected under Article 37. Article 37 provides that two or more inventions may be the subject of a single patent application in the same application provided that, these inventions are of a group of inventions recognized as fulfilling the requirements of unity of invention based on their technical relationship designated in the relevant Ordinance of the Ministry of Economy, Trade and Industry.

Claims 1 and 2 were also rejected under Article 29-(1)-iii and 29(2) as being anticipated by JP Publication Nos. 2002-063934; 2002-063934; 2002-298912; 2003-007333 and 2003-007336.